



**Federal Deposit Insurance Corporation**

550 17th Street, NW, Washington, DC 20429-9990

Legal Division

June 27, 2013

Mr. Michael Morisy  
Muck Rock News  
DEPT MR 4843 PO Box 55819  
Boston, Massachusetts 02205-5819

FDIC FOIA Log Number 13-0481

Dear Mr. Morisy:

This will respond to your Freedom of Information Act ("FOIA") request as amended. You amended your request to be for communications sent by the FDIC in response to Congressional committees which were generated between January 1, 2011 and December 31, 2012. As we discussed, such communications generally responded to one time inquiries from the committees, and would not include regular periodic reports or inquiries made of behalf of constituents.

Copies of the records located by the FDIC (consisting of a total of 787 pages) which are responsive to your request will be sent via separate e-mail. However, certain information in these records has been redacted pursuant to FOIA Exemption 6 which protects information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C § 552 (b)(6). An internal briefing document titled "A Summary of the Proposed Minimum Margin Requirements for Uncleared Swaps" (9 pages) has been withheld in its entirety pursuant to Exemption 5, 5 U.S.C § 552 (b)(5) and is considered deliberative in nature. FOIA Exemption 5 permits the withholding of inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency. This includes information contained in internal communications which relate to pre-decisional staff opinions, recommendations, and are covered by the deliberative process privilege and other privileges.

We also attempted to contact you regarding an attachment which was not included in our original fee agreement consisting of 1149 pages of FOIA Logs sent to the Chairman of the House Banking Committee. These are heavily redacted but are releasable for an additional cost of about \$230.00. You may request them at any time, but since we did not hear back from you, they are not included in this release.

Should you consider the redaction of information in the records provided to you to be a denial of your request, you may appeal the denial to the FDIC's General Counsel within 30 business days following receipt of this letter. If you decide to appeal, please submit your appeal in writing to the Legal Division, FOIA/Privacy Act Group, at the above address. Please refer to the FDIC log number and include any additional information that you would like the General Counsel to consider.

This completes the processing of your request. Fees, if any, will be addressed under separate correspondence.

Sincerely,

Nik Burgess, Sr. FOIA Specialist  
FOIA/Privacy Act Group  
Tel: 703-562-2668  
Fax: 703-562-2797  
Email: nburgess@fdic.gov